



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,445	08/19/2003	Paul F. Cote	02044P	4398

7590 09/07/2006

Mary R. Bonzagni, Esq.
Holland & Bonzagni, P.C.
Suite 302
171 Dwight Road
Longmeadow, MA 01106-1700

EXAMINER

LAM, CATHY FONG FONG

ART UNIT PAPER NUMBER

1775

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/643,445

Applicant(s)

COTE ET AL.

Examiner

Cathy Lam

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8-23-06, 5-30-06</u> . | 6) <input type="checkbox"/> Other: ____. |

Information Disclosure Statement

1. The information disclosure statement filed on March 29, 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Applicant is required to submit the foreign patent document, DE 195 48 528 A and the non-patent literature document, "portals and Tagsa make their mark in secure labels" by Richard Tucker. The PTOL1449 with initial and date will be sent to applicant upon the two missing documents being reviewed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 4, 9-15 and 28 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Crane (US 4941687).

Crane discloses a security thread that is used to incorporate within currency paper. The security thread is a metallized plastic strip comprised of a polyester base film (13), a pigmented resin (14), an aluminum metal film (15), a pigmented resin (16) and a clear polyester film (17); all in the named order.

The pigmented resin (14), the aluminum metal film (15) and the pigmented resin (16) are three layers resemble the information bearing layer of the present invention. The information bearing layer is formed onto the central area of the polyester base film (13) with longitudinal top and bottom edges free of information (numeral 12 of Figs. 1 & 2). The clear polyester film (17) which is applied over the information bearing layer (i.e. layers 14,15,16) and over the opposing longitudinal edges of the polyester base film (13), to provide durability and protection of the security thread.

Crane also teaches that the security thread is visibly perceivable (col 1 L 68-col 2 L 2). Regarding to claims 9-10 & 14-15, the examiner is taking the position that the information bearing layer in Crane is either in negative or positive images and/or characters across the entire length of the base film (13).

Claim Rejections - 35 USC § 103

4. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crane (US 4941687) in view of Edwards (US 5388862).

Crane teaches a security thread having an information bearing layer (14,15,16) over a polymer base film and a protective polyester film (17) is coated over the information bearing layer and the polymer base film.

The information bearing layer is printed in the central portion of the base film, leaving the top and bottom longitudinal edges of the base film free of printed matters. The protective polymer film (17) is coated onto the information bearing layer and the top and bottom longitudinal edges to provide a seal to the security thread.

Crane clearly teaches the main idea of the present invention. Crane however does not teach the thickness of the protective layer, the characteristics of the support and protective layers, the characteristics of the information bearing layer (i.e. claims 16-19). Crane also does not teach a light-transmitting adhesive is used between the protective and support layer over the protective layer.

Edward teaches a security article comprised of a light transmitting layer (1A), an opaque pattern (2A), a resist pattern (3A) and a transparent coating (6A) (Fig. 1).

The resist pattern (3A) is formed over the opaque pattern (2A), wherein the opaque pattern is an aluminum pattern resembles the claimed information bearing layer (col 4 L 27-35). The aluminum pattern and the resist pattern are formed over the polyester film (1A) (or support film), which may be a clear film or a light transmitting colored and/or luminescent substance (col 3 L 1-3). A transparent coating (6A), which may also be a clear film or a light transmitting colored and/or luminescent substance, is coated over the information bearing layer (col 4 L 54-56).

Edward also teaches that adhesive layer may be provided over the (outermost) transparent coating (6A) for bonding the security article to a paper (col 4 L 57-59). Edward also teaches having two sets of opaque patterns (or information bearing layers), arranged one over another and may or may not overlapping each other (Fig. 1).

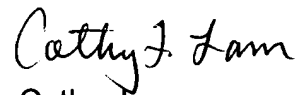
The prior art however are silent about the thickness of the protective layer, the patterns and characteristics of the information bearing layer. The prior art are also silent about having a light transmitting adhesive used between the protective layer and the longitudinal borders of the support layer.

In view of the prior art teachings, one skill in the art would choose a desired film thickness for the protective layer and to use adhesive for bonding the support and protective layers together because discovering of these are just a matter of routine practice. Regarding to having more than one information bearing layer and their characteristics, the examiner takes the position that this feature is just a matter of design choice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cathy Lam whose telephone number is (571) 272-1538. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on (571) 272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Cathy Lam
Primary Examiner
Art Unit 1775